

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
HERMANN BUSS KG MS "ELBE TRADER" :
GMBH & CO., :
: 08-CV-5309 (GBD)

Plaintiff, :
- against - : **MOTION TO ADMIT COUNSEL**
T.S. LINES LTD., : **PRO HAC VICE**
: 08-CV-5309 (GBD)
Defendant. :
-----x

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for
the Southern and Eastern District of New York, I, LILI F. BENEDA, a member in good standing
of the bar of this Court, hereby moves for an Order allowing the admission *pro hac vice* of:

Applicant's Name: Michael J. Nicaud
Firm Name: Galloway, Johnson, Tompkins, Burr & Smith
Address: One Shell Square, 701 Poydras Street, 40th Floor
City/State/Zip: New Orleans, Louisiana 70139
Phone Number: (504) 525-6802
Fax Number: (504) 525-2456

Michael J. Nicaud is a member in good standing of the Supreme Court of Louisiana. There are
no pending disciplinary proceedings against Michael J. Nicaud in any State or Federal Court.

Dated: June 17, 2008
New York, New York

Respectfully submitted,

CONDON & FORSYTH LLP

By: 
Lili F. Beneda (LB 1879)
7 Times Square, 18th Floor
New York, New York 10036
Telephone: (212) 894-6778
Facsimile: (212) 597-6721

Attorneys for Plaintiff
HERMANN BUSS KG MS
"ELBE TRADER" GMBH & CO.

6405 -
JUN 17 2008
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054338

cc: (Via Mail, E-mail & Facsimile)

Jason Waguespack, Esq.
Michael J. Nicaud, Esq.
Galloway, Johnson, Tompkins, Burr & Smith
One Shell Square, 701 Poydras Street, 40th Floor
New Orleans, Louisiana 70139
Attorneys for Plaintiff,
HERMANN BUSS
KG MS "ELBE TRADER" GMBH & CO.
Tel: 504-525-6802
Fax: 504-525-2456
E-mail: jwaguespack@gjtbs.com & mnicaud@gjtbs.com

cc: (Via Mail)

T.S. Lines Ltd.
Room 1111, 11/F
Cosco Tower
Grand Millennium Plaza
183 Queen's Road
Central, Hong Kong

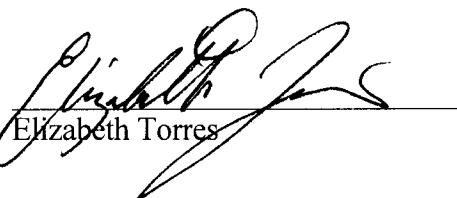
AFFIDAVIT OF SERVICE BY MAIL, E-MAIL AND FACSIMILE

STATE OF NEW YORK)
)
) ss:
COUNTY OF NEW YORK)

Elizabeth Torres, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and resides in Hopewell Junction, New York. That on the 17th day of June, 2008 deponent served the within **MOTION TO ADMIT MICHAEL J. NICAUD PRO HAC VICE** upon:

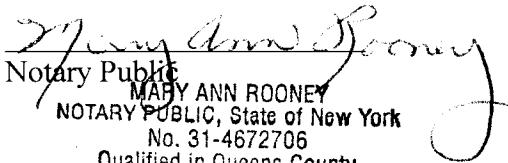
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Fax: 504-525-2456
E-mail: jwaguespack@gjtbs.com &
mnicaud@gjtbs.com

at the addresses designated by said attorneys for that purpose by depositing same enclosed in a postpaid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York; as well as transmitting the papers via facsimile/e-mail to the facsimile/e-mail above.



Elizabeth Torres

Sworn to before me this
17th day of June, 2008


Notary Public
MARY ANN ROONEY
NOTARY PUBLIC, State of New York
No. 31-4672706
Qualified in Queens County
Commission Expires May 31, 2010

AFFIDAVIT OF SERVICE VIA REGULAR MAIL

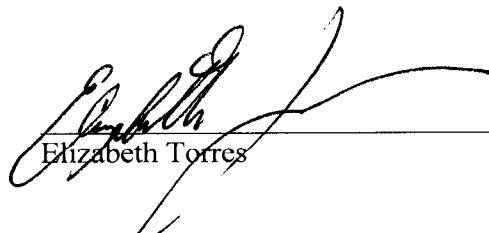
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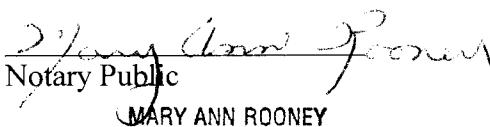
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 GMBH & CO., :
 Plaintiff, : 08-CV-5309 (GBD)
 - against - :
 T.S. LINES LTD., :
 Defendant. :
 -----x

State of New York §
 §
 County of New York §

LILI F. BENEDA, being duly sworn, deposes and says as follows:

1. I am an associate with Condon & Forsyth LLP, counsel for Plaintiff Hermann Buss KG MS "ELBE TRADER" GmbH & Co. ("Hermann Buss") in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff Hermann Buss' motion to admit Michael J. Nicaud as counsel *pro hac vice* to represent Plaintiff Hermann Buss in this matter.
2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in 2005. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Michael J. Nicaud since approximately 2001.
4. Mr. Nicaud is an associate at Galloway, Johnson, Tompkins, Burr & Smith.
5. I have found Mr. Nicaud to be a skilled attorney and a person of integrity. He is experienced in federal practice and is familiar with the Federal Rules of Civil Procedure.
6. Attached hereto as Exhibit A is a Certificate from the Louisiana Supreme Court which has been issued within thirty days of this motion, and which states that Michael J. Nicaud is a member in good standing of the Louisiana State Bar.

7. Accordingly, I am pleased to move the admission of Michael J. Nicaud, *pro hac vice*.

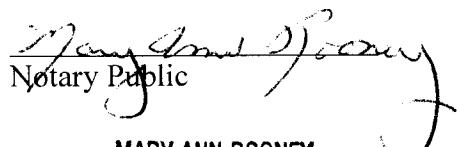
8. I respectfully submit a proposed order granting the admission of Michael J. Nicaud, *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE, it is respectfully requested that the motion to admit Michael J. Nicaud, *proc hac vice*, to represent Hermann Buss in the above captioned matter, be granted.



Lili F. Beneda

Subscribed and sworn to before me
this 17th day of June, 2008.



MARY ANN ROONEY
Notary Public

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EXHIBIT “A”

United States of America

State of Louisiana

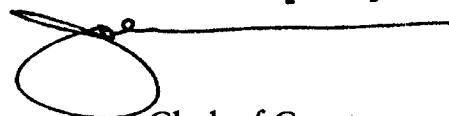
Supreme Court of the State of Louisiana

I, JOHN TARLTON OLIVIER, Clerk of the Supreme Court of the State of Louisiana, do hereby certify that

MICHAEL J. NICAUD, JR., ESQ., #29365

was duly admitted and licensed to practice as an attorney and counselor at law in this Court and the several courts of the State of Louisiana, on the 15th Day of October, 2004 A.D.; and is currently in good standing, and sufficiently qualified to perform the duties of an attorney and counselor at law.

IN WITNESS WHEREOF, I hereunto sign
my name and affix the seal of this Court,
at the City of New Orleans, this the 21st
Day of May, 2008, A.D.



Clerk of Court
Supreme Court of Louisiana

EXHIBIT “B”

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HERMANN BUSS KG MS "ELBE TRADER"	:	
GMBH	:	
Plaintiff,	:	08-CV-5309 (GBD)
- against -	:	
T.S. LINES LTD.	:	
Defendant.	:	

-----X

**ORDER FOR ADMISSION PRO
HAC VICE ON WRITTEN
MOTION**

Upon the motion of LILI F. BENEDA, attorney for Plaintiff Hermann Buss KG MS "ELBE TRADER" GmbH & Co. ("Hermann Buss"), and said sponsor attorney's affidavit in support:

IT IS HEREBY ORDERED that

Applicant's Name: Michael J. Nicaud
 Firm Name: Galloway, Johnson, Tompkins, Burr & Smith
 Address: One Shell Square, 701 Poydras Street, 40th Floor
 City/State/Zip: New Orleans, Louisiana 70139
 Phone Number: (504) 525-6802
 Fax Number: (504) 525-2456

is admitted to practice *pro hac vice* as counsel for Plaintiff Hermann Buss in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel has forwarded the *pro hac vice* fee to the Clerk of the Court.

Dated: June ___, 2008
 New York, New York

Hon. George B. Daniels
 United States District Judge

AFFIDAVIT OF SERVICE BY MAIL, E-MAIL AND FACSIMILE

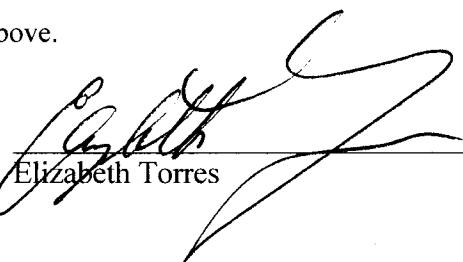
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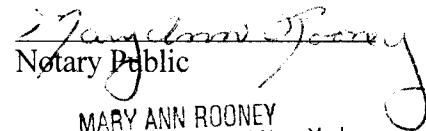
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Elizabeth Torres



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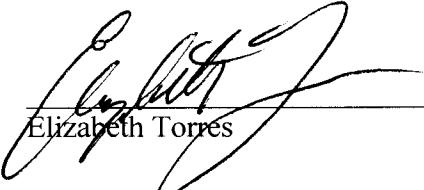
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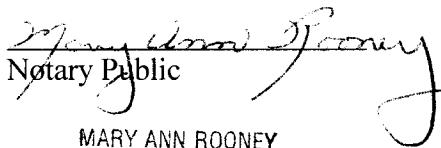
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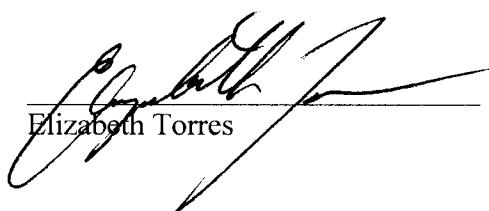
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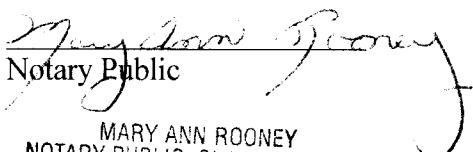
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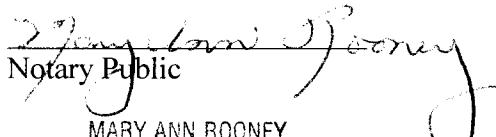
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